

SEP 19 2005

Merchant & Gould
An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
tel 612.332.5300
fax 612.332.9081
www.merchant-
gould.com

Fax Transmission | Date: 9-19-05

A Professional Corporation

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Mark E. Deffner

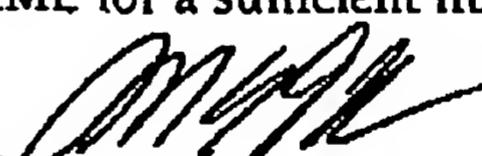
OUR REF: 11669.123USC1
TELEPHONE: 612.332.5300

Total pages, including cover letter: 3PTO FAX NUMBER 1-571-273-8300

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted: RESPONSE TO RESTRICTION REQUIREMENT
 Applicant: DESAUVAGE ET AL.
 Serial No.: 10/663,158
 Filed: SEPTEMBER 15, 2003
 Group Art Unit: 1644
 Our Ref. No.: 11669.123USC1
 Confirmation No. 4053

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: 
 Name: Mark E. Deffner
 Reg. No.: 55,103

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Kay Fahland


 Signature

9-19-05
 Date

RECEIVED
CENTRAL FAX CENTER

SEP 19 2005

S/N 10/663,158

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DE SAUVAGE ET AL.	Examiner:	RINAUDO
Serial No.:	10/663,158	Group Art Unit:	1644
Filed:	SEPTEMBER 15, 2003	Docket No.:	11669.123USC1
Title:	TYPE I CYTOKINE RECEPTOR TCCR		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 9-19-05.

By: Kay Falkland
Name: Kay Falkland

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

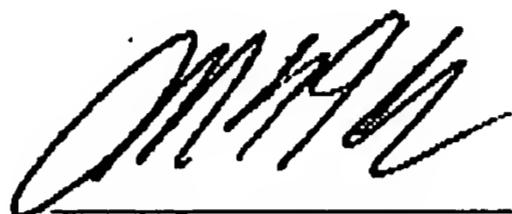
Dear Sir:

This paper is being submitted in response to the Restriction Requirement mailed August 22, 2005. Without acquiescing to the statements made therein, Applicants hereby elect with traverse the claims of Group X, claims 23-25, drawn to a method of preventing, inhibiting or attenuating the differentiation of T-cells into the Th2 subtype, wherein the agonist is an antibody, for prosecution in the instant application. Applicants assert that claims 15 and 16 are linking claims with respect to Groups VIII-XI. Applicants remind Examiner of the duty to rejoin and examine claims dependent from, or including the limitations of, an allowable linking claim.

Applicants traverse the restriction requirement with respect to Groups VIII-XI. Specifically, Applicants assert that it would not be unduly burdensome for the Examiner to search and examine all claims directed to a method of preventing, inhibiting or attenuating the differentiation of T-cells into the Th2 subtype regardless of the particular agonist used.

Examination on the merits is respectfully requested. The Examiner is invited to contact Applicants' representative if prosecution may be assisted thereby.

Respectfully submitted,


9/19/05

Date

Mark E. Deffner
Reg. No. 55,103
Merchant & Gould P.C.
P. O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

MED:kf

23552

PATENT TRADEMARK OFFICE